

## **MINUTES – MAY 12, 1998**

### **TRAVIS COUNTY COMMISSIONERS' COURT**

On Tuesday, the 12<sup>th</sup> day of May 1998, the Commissioners' Court convened the Voting Session at 9:16 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Travis County Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Anna M. Valdez.

The Commissioners' Court retired to Executive Session at 11:46 AM and reconvened the Voting Session at 12:08 PM.

The Commissioners' Court recessed the Voting Session at 12:08 PM and reconvened the Voting Session at 1:41 PM.

The Commissioners' Court retired to Executive Session at 3:09 PM and reconvened the Voting Session at 3:47 PM.

The Commissioners' Court adjourned the Voting Session at 3:48 PM.

The Commissioners' Court, meeting as the Corporations' Board of Directors, convened the Corporations' Voting Session at 3:48 PM and adjourned at 3:49 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, convened the NWTCRD #3 Voting Session at 3:49 PM and adjourned at 3:50 PM.

**RESOLUTIONS & HEARINGS**

- 1. APPROVE A RESOLUTION HONORING THE EMS PROVIDERS OF THE AUSTIN/TRAVIS COUNTY EMS SYSTEM AND PROCLAIMING THE MONTH OF MAY "TRAUMA AWARENESS MONTH" AND THE WEEK OF MAY 17-23, 1998 AS "EMERGENCY MEDICAL SERVICES WEEK" IN TRAVIS COUNTY.  
(9:32 AM)

**Members of the Court heard from:** Chris Callsen, Director of Emergency Services, Justice and Public Safety (JPS); Dr. Ed Rock, Medical Director, Austin-Travis County Emergency Medical Services (EMS); Colleen Stark, EMS Training Coordinator, Travis County Emergency Services; Richard Harrington, Deputy Director, City of Austin EMS; Ron Mullenberg, Travis County Emergency Services District #2, and President, Capitol Area Chief's Association; Raymond Tennison, Travis County Emergency Services District #1, and Lago Vista Fire Chief; J.P. Murphy, President of Travis County Firefighters' Association, and Emergency Services District #4; Bill Vlock, President, Emergency Services District #1; and Mike Berg, Medical Liaison Officer, Travis County Emergency Services.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the Resolution under Item 1.

**Motion carried:**

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

- 2. PRESENT RECYCLING AWARDS TO EMPLOYEES AND DEPARTMENTS DOING AN EXEMPLARY JOB SUPPORTING AND PROMOTING THE COUNTY'S RECYCLING PROGRAMS. (9:43 AM)

**Members of the Court heard from:** Greg Chico, Right of Way Negotiator, Transportation and Natural Resources (TNR); Mark Maxwell, Sergeant, Travis County Sheriff's Office (TCSO); and Al Reyes, Travis County Parks, TNR.

- 3. APPROVE PROPOSED STREET NAME ASSIGNMENT FOR AN UNNAMED EASEMENT TO "ROCKING A TRAIL" IN PEDERNALES CANYON SUBDIVISION PHASE 1 IN PRECINCT THREE. (9:49 AM)

**Motion by** Commissioner Moore and **seconded by** Commissioner Gómez that the Public Hearing be opened.

**Motion carried:**

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR.

**Motion by** Commissioner Moore and **seconded by** Commissioner Gómez that the Public Hearing be closed.

**Motion carried:**

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

**Clerk’s Note:** The action item for Item 3 is Consent Item C13. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court’s Motion and Vote.

### CITIZENS’ COMMUNICATION

**Members of the Court heard from:** Gus Peña, President, East Austin Concerned Hispanics; Zane Carson, Resident of Point Mitchner; John Foreman, Host, Texas Best Seminars, and Producer, In Your Face Campaign; and Kirk Mitchell, Independent Candidate for Travis County Commissioner in Precinct Three. (9:50 AM)

**CONSENT ITEMS**

- 4. Motion by** Commissioner Sonleitner and **seconded by** Commissioner Gómez to approve the following consent Items: A.2, 12.A and B, 17, 18, 19, 20, 21, 22, 23, 29 and C1 – C13. (10:06 AM)

**Motion carried:** County Judge Bill Aleshire - yes  
Precinct 1, Commissioner Darwin McKee - yes  
Precinct 2, Commissioner Karen Sonleitner - yes  
Precinct 3, Commissioner Margaret Moore - yes  
Precinct 4, Commissioner Margaret J. Gómez - yes

- C1.** RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION FACILITIES.
- C3.** APPROVE COMMISSIONERS' COURT MINUTES FOR VOTING SESSION OF APRIL 7, 1998.
- C4.** AUTHORIZE COUNTY JUDGE TO EXECUTE A SIDEWALK EASEMENT TO THE CITY OF AUSTIN IN CONNECTION WITH THE JUVENILE JUSTICE CENTER PROJECT.
- C5.** APPROVE LICENSE AGREEMENT WITH CANTERBURY TRAILS OWNERS ASSOCIATION, INC., FOR AN ENTRANCE SIGN AND LANDSCAPING IN THE RIGHT-OF-WAY OF RAVENSCROFT DRIVE IN CANTERBURY TRAILS SECTION 1 IN PRECINCT THREE.
- C6.** APPROVE CONTRACT FOR PROFESSIONAL DENTAL SERVICES FOR ENROLLEES IN THE TRAVIS COUNTY RURAL DENTAL ASSISTANCE PROGRAM (TCRDAP), ADA TILLER, D.D.S..
- C7.** APPROVE CONTRACT FOR PROFESSIONAL DENTAL SERVICES FOR ENROLLEES IN THE TRAVIS COUNTY RURAL DENTAL ASSISTANCE PROGRAM (TCRDAP), JULI POWELL, D.D.S..
- C8.** APPROVE CONTRACT AWARD FOR THE PROVISION OF ASPHALTIC ROAD MATERIALS, DELIVERED, IFB# B980063-JP TO THE LOW QUALIFIED BIDDER, CAPITOL AGGREGATES, INC., IN THE ESTIMATED AMOUNT OF \$562,795.00.

**CONSENT ITEMS CONTINUED**

- C9.** APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES RIVER POINTE SUBDIVISION IN PRECINCT TWO.
- C10.** APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN CANTERBURY TRAILS SECTION 1, A SUBDIVISION IN PRECINCT THREE.
- C11.** APPROVE A PUBLIC HEARING DATE OF MAY 26, 1998 TO APPROVE A TEMPORARY ROAD CLOSURE OF GRISHAM TRAIL AND PACE BEND ROAD FOR THE PURPOSE OF PROVIDING SAFETY FOR A TRIATHLON IN PACE BEND PARK IN PRECINCT THREE.
- C12.** APPROVE A PUBLIC HEARING DATE OF JUNE 2, 1998 TO APPROVE AN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 7.5' PUBLIC UTILITY EASEMENT ON LOT 159 GLENLAKE PHASE II, A SUBDIVISION IN PRECINCT TWO.
- C13.** APPROVE PROPOSED STREET NAME ASSIGNMENT FOR AN UNNAMED EASEMENT TO "ROCKING A TRAIL" IN PEDERNALES CANYON SUBDIVISION PHASE 1 IN PRECINCT THREE.

**COUNTY POLICIES AND PROCEDURES**

- 5. CONSIDER AMENDING THE TRAVIS COUNTY MANUAL OF POLICIES AND PROCEDURES, CHAPTER 48 (PRIVATE ON-SITE SEWAGE FACILITIES REGULATIONS), AND TAKE OTHER ACTION CONCERNING ON-SITE FACILITY PERMITS. (10:15 AM)

**Members of the Court heard from:** Stephen Williams, Executive Manager, Austin-Travis County Health and Human Services Department and Veterans Affairs Services; Mary Etta Gerhardt, Assistant County Attorney; Irvin Konrod, Austin-Travis County Health and Human Services Department; and Ray Knatsu, Austin-Travis County Health and Human Services Department.

**Clerk’s Note:** Target date for a Public Hearing on this Item is June 2, 1998 at 6:00 PM. Judge Aleshire will verify the date with everyone’s schedule.

**Motion by** Judge Aleshire and **seconded by** Commissioner McKee to approve the draft that was submitted to the Court (and will be submitted to the Clerk for the Minutes) as being the proposed rules for public comment in the process required by the Texas Natural Resource Conservation Commission (TNRCC). This is the Travis County Commissioners’ Court proposal for the septic tank rules.

**Motion carried:**

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

**ITEM 5 CONTINUED**

**Motion by** Judge Aleshire and **seconded by** Commissioner Moore to give staff direction that regarding the items listed on the Chart attached to the memo dated May 11, 1998, from Stephen Williams to the Commissioners' Court (the Chart will be submitted to the Clerk for the Minutes) that shows the Travis County Standard, the Court is interpreting those as being more stringent than the State's standards. They are currently in Travis County's Rules and the Court expects staff to apply these Travis County standards plus the requirement for an Engineer Design as opposed to an RS Design. The Court asks staff to follow the variance procedure outlined in the proposed new rules as far as bringing variances on an expedited basis to the Travis County Commissioners' Court.

**Motion carried:** County Judge Bill Aleshire - yes  
 Precinct 1, Commissioner Darwin McKee - yes  
 Precinct 2, Commissioner Karen Sonleitner - yes  
 Precinct 3, Commissioner Margaret Moore - yes  
 Precinct 4, Commissioner Margaret J. Gómez - yes

**6. APPROVE AMENDMENT TO CHAPTER 10.043, SECTION (B), COUNTY HOLIDAYS, OF THE TRAVIS COUNTY POLICIES AND PROCEDURES MANUAL TO READ:**

(b) REGULAR NON-EXEMPT EMPLOYEES WHO ARE REQUIRED TO WORK ON A HOLIDAY WILL BE CREDITED WITH HOUR-FOR-HOUR TIME TO TAKE AT A LATER DATE. (10:46 AM)

**Members of the Court heard from:** Rick Whitehead, President, Travis County Sheriff's Officers' Association (TCSOA); and Barbara Wilson, Assistant County Attorney.

**Motion by** Commissioner McKee and **seconded by** Commissioner Moore to approve Item 6.

**Motion carried:** County Judge Bill Aleshire - yes  
 Precinct 1, Commissioner Darwin McKee - yes  
 Precinct 2, Commissioner Karen Sonleitner - yes  
 Precinct 3, Commissioner Margaret Moore - yes  
 Precinct 4, Commissioner Margaret J. Gómez - yes

**ADMINISTRATIVE ITEMS**

7. DISCUSS 1998 PAVEMENT MANAGEMENT SYSTEM UPDATE AND ADOPT PAVEMENT MANAGEMENT STRATEGY. (10:51 AM) (1:41 PM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; and Gordon Bowman, Assistant County Attorney.

Discussion Only.

Item 7 to be reposted for a Voting Session at 11:30 AM on Friday, May 15, 1998 and on Tuesday, May 19, 1998.

8. APPROVE THE REPROGRAMMING OF SAVINGS IDENTIFIED FROM THE FY'96, FY'97, AND FY'98 HOT MIX OVERLAY PROGRAM (CERTIFICATES OF OBLIGATION) FOR USE ON RECOMMENDED TRAVIS COUNTY ROADWAYS NEEDING HMAC OVERLAYS. (10:51 AM) (1:41 PM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; and Gordon Bowman, Assistant County Attorney.

Discussion Only.

Item 8 to be posted for a Voting Session at 11:30 AM on Friday, May 15, 1998 and on Tuesday, May 19, 1998.

9. **AMENDED WORDING:** APPROVE CONTRACT AWARDS FOR THE PROVISION OF THE 1998 HOT MIX OVERLAY PROGRAM, IFB #B980053-JJ, TO AUSTIN BRIDGE & ROAD IN THE ESTIMATED AMOUNT OF \$1,144,724.28, WHEELER COATINGS IN THE ESTIMATED AMOUNT OF \$997,351.12, AND ASPHALT PAVING IN THE ESTIMATED AMOUNT OF \$33,212.25, OR TAKE OTHER APPROPRIATE ACTION. (10:51 AM) (11:46 AM) (12:08 PM) (1:41 PM)

**Members of the Court heard from:** Sharon Gilman, Assistant Purchasing Agent for Professional Services, Purchasing; John Hille, Assistant County Attorney; Gordon Bowman, Assistant County Attorney; and Joe Gieselman, Executive Manager, TNR.

Judge Aleshire announced that Item 9 would be considered in Executive Session.

**ITEM 9 CONTINUED**

**Motion by** Commissioner Sonleitner and **seconded by** Commissioner Gómez to approve the awarding of contract bid Items 6, 7 and 8, under the hot mix overlay as listed on the agenda, to the low bidder.

**Motion carried:** County Judge Bill Aleshire - absent  
Precinct 1, Commissioner Darwin McKee - yes  
Precinct 2, Commissioner Karen Sonleitner - yes  
Precinct 3, Commissioner Margaret Moore - yes  
Precinct 4, Commissioner Margaret J. Gómez - yes

Item 9 to be posted for a Voting Session at 11:30 AM on Friday, May 15, 1998 and on Tuesday, May 19, 1998.

- 10. A. DISCUSS REQUEST FROM PFLUGER WIGINTON HOOKER/NBBJ FOR ADDITIONAL COMPENSATION FOR PHASE 1 DESIGN SERVICES. (1:47 PM)**

**Members of the Court heard from:** Kevin Bailey, Director, Facilities Management.

Discussion Only.

Item 10.A to be reposted on May 19, 1998.

- B. APPROVE CONTRACT MODIFICATION AND TAKE OTHER ACTION TO PROVIDE FOR ARCHITECTURAL ENGINEERING SERVICES (BASIC AND CONSTRUCTION PHASE SERVICES) AND PROJECT MANAGEMENT FOR CAPITAL IMPROVEMENT PROJECTS AT DEL VALLE. (1:47 PM)**

**Members of the Court heard from:** Kevin Bailey, Director, Facilities Management.

Discussion Only.

Item 10.B to be reposted on May 19, 1998.

- 11. A. DISCUSS, APPROVE, AND/OR GIVE STAFF DIRECTION REGARDING THE SCOPE OF THE COURTHOUSE EXTERIOR REHABILITATION PROJECT; (1:49 PM)

**Members of the Court heard from:** Kevin Bailey, Director, Facilities Management; Leslie Strickland, Planner, Facilities Management; Karen Shafer Castro, Senior Budget Analyst, Planning and Budget Office (PBO); and Sharon Gilman, Assistant Purchasing Agent for Professional Services, Purchasing.

Discussion Only.

No action taken on Item 11.A.

- B. DISCUSS, APPROVE AND/OR GIVE STAFF DIRECTION REGARDING AUTHORIZATION OF THE RELEASE OF THE INVITATION FOR BID (IFB) FOR CONSTRUCTION SERVICES FOR THE COURTHOUSE EXTERIOR REHABILITATION PROJECT WITH FUNDING IN CAR. (1:49 PM)

**Members of the Court heard from:** Kevin Bailey, Director, Facilities Management; Leslie Strickland, Planner, Facilities Management; Karen Shafer Castro, Senior Budget Analyst, PBO; and Sharon Gilman, Assistant Purchasing Agent for Professional Services, Purchasing.

**Motion by** Commissioner Sonleitner and **seconded by** Commissioner Gómez to approve the release of the invitation for bid (IFB) for construction services for the Courthouse exterior rehabilitation project with all of the bid alternates as presented by Facilities Management. The Court further instructs Facilities Management and PBO to work together to identify further sources of potential funding for this project including, perhaps, the postponement of other CAR funded facilities projects if they are not going to be ready to go out for bid this budget year.

**Maker accept the Friendly Amendment by** Commissioner Gómez to notify the neighbors in the immediate area of the work that will be done.

**Acceptance of the Friendly Amendment was made by** Commissioner Sonleitner.

**Motion carried:**

County Judge Bill Aleshire	-	absent
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

12. A. AUTHORIZE THE DIRECTOR OF FACILITIES MANAGEMENT TO SIGN A STANDARD LETTER OF FISCAL RESPONSIBILITY FOR TEMPORARY EROSION/SEDIMENTATION CONTROLS FROM TRAVIS COUNTY TO THE CITY OF AUSTIN FOR ALL FACILITIES CONSTRUCTION PROJECTS. (10:06 AM)

Item 12.A added to Consent Items. Please refer to Agenda item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- B. APPROVE LETTER OF FISCAL RESPONSIBILITY IN LIEU OF CASH DEPOSIT IN THE AMOUNT OF \$19,080.00 AS REQUIRED FOR EROSION/SEDIMENTATION CONTROLS FOR THE PARKING STRUCTURE AT 400 LONG BOW LANE. (10:06 AM)

Item 12.B added to Consent Items. Please refer to Agenda item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

13. A. PROVIDE STATUS REPORT AND DISCUSS TRAVIS COUNTY'S ROLLING OWNER CONTROLLED INSURANCE PROGRAM (ROCIP) AS IT RELATES TO CURRENT PROJECTS AND RECEIVE DIRECTION FOR QUALIFYING FUTURE PROJECTS FOR ROCIP. (2:13 PM)

**Members of the Court heard from:** Daniel Mansour, Risk Manager, Human Resources Management (HRMD); Chuck Watt, ROCIP Safety Engineer, HRMD; Tommy Martin, Account Executive, Marsh McLennan; Joe Gieselman, Executive Manager, TNR; and Leroy Nellis, Budget Manager, PBO.

Discussion Only.

**ITEM 13 CONTINUED**

**B. AUTHORIZE FACILITIES MANAGEMENT AND TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT TO INCLUDE ROCIP CONTRACT LANGUAGE IN BID DOCUMENTS FOR CONSTRUCTION, INCLUDING ROAD AND BRIDGE, THAT HAVE ESTIMATED HARD CONSTRUCTION COSTS OF AT LEAST \$1,000,000.00. (2:13 PM)**

**Members of the Court heard from:** Daniel Mansour, Risk Manager, HRMD; Chuck Watt, ROCIP Safety Engineer, HRMD; Tommy Martin, Account Executive, Marsh McLennan; Joe Gieselman, Executive Manager, TNR; and Leroy Nellis, Budget Manager, PBO.

**Motion by** Commissioner Gómez and **seconded by** Commissioner McKee to authorize Facilities Management and TNR to include the ROCIP contract language in bid documents for construction, including road and bridge, and parks, that have estimated hard construction costs of at least \$1,000,000.00.

<b>Motion carried:</b> County Judge Bill Aleshire	-	absent
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	abstain
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

- 14. CONSIDER THE PROPOSED WAIVER OF SECTION 32.004 OF THE TRAVIS COUNTY ETHICS POLICY AND WAIVER OF A PORTION OF THE STANDARD INDEMNIFICATION LANGUAGE REGARDING THE PROPOSED CONTRACT FOR COMMUNITY ACTION NETWORK (CAN) COMMUNITY ASSESSMENT SERVICES BETWEEN TRAVIS COUNTY AND THE AUSTIN TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER AND TAKE APPROPRIATE ACTION. (2:43 PM)

**Motion by** Commissioner Sonleitner and **seconded by** Commissioner Gómez to approve the waiver of the Standard Indemnification language. The Court notes it’s intention of taking up the waiver of the Ethics Policy at the next Commissioners’ Court meeting (related to the key person listed in the back-up material, Donalynn Thompson Biscoe, who is married to former Commissioner Sam Biscoe).

**Members of the Court heard from:** John Hille, Assistant County Attorney; and David Escamilla, First Assistant County Attorney.

**Clerk’s Note:** Based on the input from the Assistant County Attorney, Commissioner Sonleitner reworded her Motion.

**Motion by** Commissioner Sonleitner and **seconded by** Commissioner McKee for the Court to reflect that the appropriate documents are being finalized that would include the Waiver of the Indemnification language and the language related to Mrs. Biscoe.

**Motion carried:**

County Judge Bill Aleshire	-	absent
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

Item 14 to be reposted on May 19, 1998.

15. A. AUTHORIZE INVESTIGATION OF FOURTEEN (14) AMA PROJECT CHANGE REQUESTS FOR COST AND SCHEDULE IMPLICATIONS TO THE INTEGRATED JUSTICE SYSTEM AT A POTENTIAL COST OF \$128,178. (2:46 PM)

**Members of the Court heard from:** Dinah Dinwiddie, Executive Manager, JPS.

Discussion Only.

Item 15.A to be reposted on May 19, 1998.

- B. AUTHORIZE PROJECT CHANGE REQUEST IN THE AMOUNT OF \$52,802 FOR MODIFICATION TO IBM STATEMENT OF WORK FOR TRAVIS COUNTY INTEGRATED JUSTICE SYSTEM (IJS) TO PROVIDE ALTERNATIVE GEOFILE CONVERSION TOOL. (2:47 PM)

**Members of the Court heard from:** Dinah Dinwiddie, Executive Manager, JPS; and David Escamilla, First Assistant County Attorney.

**Motion by** Commissioner Sonleitner and **seconded by** Commissioner Gómez to approve the project change requests in the amount of \$52,802.00 for the modification of IBM Statement of Work for the Geofile Conversion Tool reflecting those changes that are in the two originals that have been submitted to Judge Aleshire.

**Motion carried:**

County Judge Bill Aleshire	-	absent
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

- 16.** APPROVE MODIFICATION NO. 1 TO CONTRACT NO. PS970144-LH, AUSTIN RECOVERY CENTER, FOR PROVISION OF SUBSTANCE ABUSE TREATMENT SERVICES FOR THE JUVENILE OFFENDER SUBSTANCE ABUSE TREATMENT SERVICES (JOSATS) NETWORK; CONTRACT WAS APPROVED ON MAY 6, 1997; MODIFICATION INCREASES THE NOT-TO-EXCEED AMOUNT FROM \$200,000.00 TO \$470,000.00. (9:16 AM)

Item 16 postponed until May 19, 1998.

- 17.** APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 98T0028-RH WITH MILLER UNIFORMS & EMBLEMS FOR SHERIFF UNIFORMS; CONTRACT APPROVED ON 11/18/97; MODIFICATION ALLOWS FOR A SIX-MONTH EXTENSION. (10:06 AM)

Item 17 added to Consent Items. Please refer to Agenda item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 18.** APPROVE CONTRACT MODIFICATION NO. 3 TO CONTRACT NO. 96T0284-RG, WATERTIGHT ENDEAVORS, INC., FOR FOOD CONCESSION OPERATIONS; CONTRACT APPROVED ON 5/14/96; MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION. (10:06 AM)

Item 18 added to Consent Items. Please refer to Agenda item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 19.** APPROVE CONTRACT AWARD FOR THE PROVISION OF MEDICAL AND SURGICAL SUPPLIES, IFB# B980069-JP, TO THE LOW, QUALIFIED BIDDERS, SOUTHWEST SURGICAL AS PRIMARY SUPPLIER AND VALDEZ SUPPLY COMPANY AS SECONDARY SUPPLIER. (10:06 AM)

Item 19 added to Consent Items. Please refer to Agenda item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 20.** APPROVE CONTRACT MODIFICATION NO. 3 TO CONTRACT NO. 96T0285-RG, WET & WILD WATERCRAFT RENTALS FOR JET SKI RENTALS; CONTRACT APPROVED ON 5/14/96; MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION. (10:06 AM)

Item 20 added to Consent Items. Please refer to Agenda item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 21.** APPROVE CONTRACT MODIFICATION NO. 2 TO CONTRACT NO.'S 96T0339-RH THRU 96T0342-RH, ARNOLD OIL COMPANY, COMPLETE AUTO & TRUCK PARTS, TEXAS ALTERNATOR AND CAPITOL BEARING FOR NON-CAPTIVE AUTOMOTIVE PARTS; CONTRACT APPROVED ON 7/9/96; MODIFICATION ALLOWS FOR A 12-MONTH EXTENSION. (10:06 AM)

Item 21 added to Consent Items. Please refer to Agenda item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 22.** APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. 97T0299-JJ, FOR EMERGENCY RESPONSE AND REMEDIATION SERVICES; CONTRACT APPROVED ON 7/29/97; MODIFICATION ALLOWS FOR A ONE (1) YEAR RENEWAL. (10:06 AM)

Item 22 added to Consent Items. Please refer to Agenda item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 23.** APPROVE VACATION OF A 150' BY 300' FILL AND LATERAL SUPPORT EASEMENT GRANTED TO TRAVIS COUNTY ON LOT 21, SHADY MOUNTAIN WITH THE EXCEPTION OF A 15' STRIP ALONG SHADY MOUNTAIN ROAD IN PRECINCT TWO. (10:06 AM)

Item 23 added to Consent Items. Please refer to Agenda item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

24. APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: LAKE POINTE PHASE 1-E - (LONGFORM - FISCAL WITH TRAVIS COUNTY - 2 LOTS - 0.511 ACRES - LOOMIS DRIVE - VILLAGE OF BEE CAVES ETJ. (2:49 PM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR.

**Motion by** Commissioner Moore and **seconded by** Commissioner Gómez to approve Item 24 as stated.

**Motion carried:**

County Judge Bill Aleshire	-	absent
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

25. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (2:50 PM)

**Members of the Court heard from:** Karen Shafer Castro, Senior Budget Analyst, PBO.

**Motion by** Commissioner Moore and **seconded by** Commissioner Sonleitner to approve the budget amendments and transfers, A1 through A5, T1, T2, and postponing A6.

**Motion carried:**

County Judge Bill Aleshire	-	absent
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

26. APPROVE GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSION TO CONTINUE. (2:53 PM)

A. APPROVE GRANT APPLICATION RENEWAL TO U.S. DEPARTMENT OF AGRICULTURE, FOR AGRICULTURE FOOD DISTRIBUTION PROGRAM, COMMODITY GRANT, FOR JUVENILE COURT. (2:53 PM)

**Members of the Court heard from:** Alan Miller, Budget Analyst, PBO.

**Members of the Court agreed** to consider one Motion for Items 26.A and B.

**Motion by** Commissioner Gómez and **seconded by** Commissioner Sonleitner to approve Items 26.A and B.

**Motion carried:**

County Judge Bill Aleshire	-	absent
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

B. APPROVE GRANT CONTRACT WITH OFFICE OF THE ATTORNEY GENERAL FOR ACCESS & VISITATION GRANT FOR JUVENILE COURT, (DOMESTIC RELATIONS). (2:53 PM)

**Members of the Court heard from:** Alan Miller, Budget Analyst, PBO; and Katy Kappel, Manager of Family Services, Domestic Relations.

**Members of the Court agreed** to consider one Motion for Items 26.A and B. Please refer to Item 26.A for a summary of the Court's action on this Motion.

27. REVIEW AND APPROVE THE FOLLOWING LIABILITY CLAIM  
RECOMMENDATIONS: (2:56 PM)

- A. LIDIA MARQUEZ – SETTLE
  
- B. OMAR CHAVEZ – SETTLE
  
- C. SOUTHWESTERN BELL – SETTLE
  
- D. PAMELA WILSON – DENY

**Members of the Court heard from:** Daniel Mansour, Risk Manager, HRMD.

**Clerk’s Note:** Commissioner Moore asked if Pamela Wilson was present.

**Motion by** Commissioner Sonleitner and **seconded by** Commissioner McKee to approve the liability claims as recommended by the Risk Manager (noting that Ms. Wilson was not present).

**Motion carried:**

County Judge Bill Aleshire	-	absent
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

**28. APPROVE PERSONNEL AMENDMENTS. (3:00 PM)**

**Members of the Court heard from:** Carlotta Valdez, Compensation and Benefits Manager, HRMD; Frank Curcio, Director, Information and Telecommunications Systems (ITS); and Joe Gieselman, Executive Manager, TNR.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner McKee to approve the personnel amendments, including the two add-ons.

**Motion carried:**

County Judge Bill Aleshire	-	absent
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

**29. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:06 AM)**

Item 29 added to Consent Items. Please refer to Agenda item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

**EXECUTIVE SESSION ITEMS**

**Note 1** - Gov't Code Ann 551.071, Consultation with Attorney

**Note 2** - Gov't Code Ann 551.072, Real Property

**Note 3** - Gov't Code Ann 551.074, Personnel Matters

- 30.** AUTHORIZE COUNTY ATTORNEY TO TAKE APPROPRIATE LEGAL ACTION AGAINST SHELL OIL COMPANY, VANGUARD PLASTICS, INC., MCWANE, INC., WITCO CORPORATION AND MOBILE OIL CORPORATION. <sup>2</sup>  
(3:09 PM) (3:47 PM)

Commissioner Moore announced that Item 30 would be considered in Executive Session.

**Motion by** Commissioner Sonleitner and **seconded by** Commissioner Gómez to authorize the County Attorney to develop an RFS or whatever is appropriate, related to the blue poly-vinyl and polybutylene pipe situation and the potential legal action against the companies as listed on the agenda.

**Motion carried:**

County Judge Bill Aleshire	-	absent
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

- 31.** RECEIVE BRIEFING AND/OR ADVICE FROM COUNTY ATTORNEY AND/OR GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR AUTHORIZE CONDEMNATION ON CIP PROJECT NO. 4-005, PARCEL NO. 1, SHANNON L. AND RUTH MADISON, AND TRAVIS COUNTY, TEXAS; (GIESELMAN; CONDEMNATION). <sup>1</sup> (9:16 AM)

Item 31 postponed until May 26, 1998.

- 32.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, COUNTER OFFER OR SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN; CURTIS S. CANTWELL V. TRAVIS COUNTY, TEXAS; (CANTWELL; GIESELMAN; TEXAS TORT CLAIMS ACT; PERSONAL INJURY). <sup>1</sup> (9:16 AM)

Item 32 postponed until May 19, 1998.

- 33. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, COUNTER OFFER OR SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN; GARY CUTLER V. TRAVIS COUNTY CIVIL SERVICE COMMISSION FOR SHERIFF'S OFFICE EMPLOYEES, CHAIRPERSON ALLISON B. WETZEL, COMMISSIONER VELVA PRICE AND COMMISSIONER COLON E. JORDAN, IN THEIR OFFICIAL CAPACITIES AS COMMISSIONERS OF THE TRAVIS COUNTY CIVIL SERVICE COMMISSION, AND SHERIFF MARGO L. FRASIER, (CUTLER; FRASIER, CIVIL SERVICE EMPLOYMENT ISSUES). <sup>1</sup> (9:16 AM)

Item 33 postponed until May 19, 1998.

**THE FOLLOWING ITEMS ARE ADDENDA:**

- A.1 APPOINT COMMISSIONER SONLEITNER AS COMMISSIONER OF SALE FOR THE DISPOSITION OF A TRACT OF OLD PFENNING LANE FEE SIMPLE RIGHT-OF-WAY TO AN ABUTTING OWNER AND QUITCLAIM OF ANY UNDETERMINED TITLE INTERESTS IN EASEMENT RIGHT-OF-WAY AND AUTHORIZE STATUTORY NOTICE. (EXECUTIVE SESSION ALSO, 551.071). (3:09 PM) (3:47 PM)

Commissioner Moore announced that Item A.1 would be considered in Executive Session.

**Motion by** Commissioner Sonleitner and **seconded by** Commissioner McKee to appoint Precinct Two Commissioner Karen Sonleitner as the Commissioner of Sale for the disposition of a tract of Old Pfenning Lane fee simple right-of-way to an abutting owner and quitclaim of any undetermined title interests in the easement right-of-way and to authorize the appropriate statutory notices.

**Motion carried:**

County Judge Bill Aleshire	-	absent
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

**A.2** APPROVE ORDER CLOSING DAFFAN LANE BETWEEN JOHNNY MORRIS ROAD AND THE AUSTIN NORTHWEST RAILROAD( N.W.R.R.) DUE TO UTILITY CONSTRUCTION DAMAGE. (10:06 AM)

Item A.2 added to Consent Items. Please refer to Agenda item 4 (CONSENT ITEMS) for the Court’s Motion and Vote.

**A.3** APPROVE CERTIFICATION THAT THE PLATS FOR STEINER RANCH PHASE ONE, SECTION 5B AND 5C, COMPLY WITH THE SUBDIVISION DESIGN REGULATIONS OF TRAVIS COUNTY, TEXAS. (9:32 AM) (10:08 AM)

**Clerk’s Note:** Items A.3, A.4 and A.5 are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; John Hille, Assistant County Attorney; and Gordon Bowman, Assistant County Attorney.

**Motion by** Commissioner Sonleitner and **seconded by** Commissioner Moore to approve Item A.3 as stated.

<b>Motion carried:</b> County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

**A.4** APPROVE CERTIFICATION THAT THE PLAT FOR BARTON CREEK ABC WEST PHASE 1 COMPLIES WITH THE SUBDIVISION DESIGN REGULATIONS OF TRAVIS COUNTY, TEXAS. (9:32 AM) (10:10 AM)

**Clerk’s Note:** Items A.3, A.4 and A.5 are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; and Gordon Bowman, Assistant County Attorney.

**Members of the Court agreed** to consider one Motion for Items A.4 and A.5.

**Motion by** Commissioner Moore and **seconded by** Commissioner Sonleitner to approve Item A.4 and A.5 as stated.

<b>Motion carried:</b> County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

**A.5** APPROVE CERTIFICATION THAT THE PLAT FOR BARTON CREEK SECTION F, BLOCK A, LOT 1 COMPLIES WITH THE SUBDIVISION DESIGN REGULATIONS OF TRAVIS COUNTY, TEXAS. (9:32 AM) (10:10 AM)

**Clerk’s Note:** Items A.3, A.4 and A.5 are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; and Gordon Bowman, Assistant County Attorney.

**Members of the Court agreed** to consider one Motion for Items A.4 and A.5. Please refer to Item A.4 for a summary of the Court’s action on this Motion.

- A.6** APPROVE A RESOLUTION HONORING DOROTHY TURNER FOR HER MANY YEARS OF SERVICE AND DEDICATION TO HER COMMUNITY.  
(9:16 AM) (9:18 AM)

**Members of the Court heard from:** Cheryl Brown, Executive Assistant to the Commissioner, Precinct One; Velma Roberts, Community Activist; Loretta Edelen, District One Trustee, Austin Independent School Board of Trustees; Larry Jackson, Eastside Story Foundation; Paul Hernandez, Community Activist; Reverend Frank Garrett, Jr.; Eric Mitchell; Luke Mercer, Constable, Precinct One; Tommy Greer, Constable’s Office, Precinct One; David Knox, Constable’s Office, Precinct One; Willie Madison, Sergeant, Constable’s Office, Precinct One; Marvin Brice, Employee, Travis County; Gavino Fernandez, El Concilio, Akwasi Evans, Editor, NOKOA Newspaper; and Tommy Wyatt, Editor, The Villager Newspaper.

**Motion by** Commissioner McKee and **seconded by** Commissioner Gómez to approve the Resolution under Item A.6.

**Motion carried:**

County Judge Bill Aleshire	-	yes
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

**ADDITIONAL MOTION/VOTE**

**Motion by** Commissioner Sonleitner and **seconded by** Commissioner Gómez to authorize Precinct Three Commissioner Margaret Moore to sign, in lieu of Judge Aleshire, all documents approved by the Court in today’s Voting Session (May 12, 1998). (2:48 PM)

**Motion carried:**

County Judge Bill Aleshire	-	absent
Precinct 1, Commissioner Darwin McKee	-	yes
Precinct 2, Commissioner Karen Sonleitner	-	yes
Precinct 3, Commissioner Margaret Moore	-	yes
Precinct 4, Commissioner Margaret J. Gómez	-	yes

**ADJOURNMENT**

**Motion by** Commissioner Sonleitner and **seconded by** Commissioner Gómez to adjourn the Voting Session. (3:48 PM)

**Motion carried:** County Judge Bill Aleshire - absent  
Precinct 1, Commissioner Darwin McKee - yes  
Precinct 2, Commissioner Karen Sonleitner - yes  
Precinct 3, Commissioner Margaret Moore - yes  
Precinct 4, Commissioner Margaret J. Gómez - yes

**MINUTES APPROVED BY THE COMMISSIONERS' COURT**

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**Date of Approval**

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**Bill Aleshire, Travis County Judge**